

Title 15---ELECTED OFFICIALS
Division 40---State Auditor
Chapter 3---Rules Applying to Political Subdivisions

EMERGENCY AMENDMENT

15 CSR 40-3.030 Annual Financial Reports of Political Subdivisions The auditor is amending sections (1), (3), and (5).

PURPOSE: This amendment modifies when annual financial reports are due with the State Auditor's office by providing additional time to file the financial report for political subdivisions who after August 28, 2015 will now be required by Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill 5 (2015), First Regular Session, Ninety-eighth General Assembly 2015 to file additional information with the State Auditor's office at the same time as their financial report.

*EMERGENCY STATEMENT: Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill 5, First Regular Session, Ninety-eighth General Assembly went into effect on August 28, 2015. Senate Bill 5 changes the local government reporting obligations regarding the percent of annual general operating revenue from fines and court costs from traffic violations and directs the State Auditor's office to allow reasonable opportunity for demonstration of compliance with additional filing requirements that local governments are to file in conjunction with the annual financial report that is the subject of this rule. While the State Auditor's office engages in an open process to develop the rules that Senate Bill 5 specifies shall be set forth by December 31, 2015, local governments will require additional time to demonstrate compliance. As a result the State Auditor's office finds a compelling governmental interest which requires an early effective date for this amendment. The State Auditor's office believes this emergency amendment is fair to all interested persons and parties under these circumstances. A proposed amendment, which covers the same material, is published in this issue of the **Missouri Register**. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri** and **United States Constitutions**. This emergency amendment was filed September 1, 2015, becomes effective September 11, 2015 and expires March 8, 2016.*

(1) An annual financial report shall be filed with the State Auditor's Office by every political subdivision. The annual financial report shall be set forth on the financial report form available from the State Auditor's Office and on its website, or may be in a form determined by the political subdivision which shall contain, as a minimum, the following:

- (A) The balance at the beginning of the reporting period of each fund;
- (B) A summary of the receipts during the reporting period of each fund;
- (C) A summary of the disbursements during the reporting period of each fund;
- (D) The balance at the end of the reporting period of each fund;
- (E) A statement of the bonded indebtedness at the beginning and end of the reporting period; **and**
- (F) The property tax rate levied for each fund expressed in cents per one hundred dollars (\$100) assessed valuation/;
- (G) *The annual general operating revenue of the political subdivision; and*
- (H) *An accounting of the percent of annual general operating revenue from fines and court costs from traffic violations, including amended charges from any charged traffic violation, occurring within the city, town, village, or county and charged in the municipal court of that city, town, village, or county].*

(3) Notwithstanding any other provision of this rule, a political subdivision whose cash receipts for the reporting period are ten thousand dollars (\$10,000) or less may file an annual financial report in a form determined by the political subdivision which need only contain the following:

- (A) The cash balance at the beginning of the reporting period of each fund;
- (B) A summary of cash receipts during the reporting period of each fund;
- (C) A summary of cash disbursements during the reporting period of each fund; **and**
- (D) The cash balance at the end of the reporting period of each fund/;
- (E) *The annual general operating revenue of the political subdivision; and*
- (F) *An accounting of the percent of annual general operating revenue from fines and court costs from traffic violations, including amended charges from any charged traffic violation, occurring within the city, town, village, or county and charged in the municipal court of that city, town, village, or county].*

(5) An unaudited annual financial report shall be submitted within [*four (4)*] **six (6)** months after the end of the political subdivision's fiscal year; an audit report prepared by a certified public accountant shall be submitted within six (6) months after the end of the political subdivision's fiscal year[.]; **any such reports due between August 28, 2015, and November 30, 2015, may be filed on or before December 31, 2015.**

AUTHORITY: section 105.145, RSMo Supp. 2014. Original rule filed Oct. 13, 1983, effective Jan. 13, 1984. Amended: Filed June 29, 2006, effective Jan. 30, 2007. Amended: Filed March 1, 2012, effective Aug. 30, 2012. Amended: Filed Sept. 23, 2014, effective April 30, 2015. Emergency amendment filed Sept. 1, 2015, effective Sept. 11, 2015, expires March 8, 2016. A proposed amendment covering this same material is published in this issue of the Missouri Register.*

**Original authority: 105.145, RSMo 1965, amended 1983, 2009.*